

**Remarks**

Claims 24 and 25 are pending in the present application. Claim 24 has been amended herein. Entry of the amendment to claim 24 is respectfully requested. New claims 32-39 are being added and are fully supported by the original application. Addition of new claims 32-39 is respectfully requested.

Applicant respectfully requests reconsideration of the rejections of record in view of the foregoing amendments and the following remarks.

**The Invention**

The present invention relates to a process for preparing a “double encapsulated” chemical, such as a solid pesticide. In accordance with the process (a) particles of the solid chemical are combined with a first encapsulating agent; (b) the encapsulating agent is converted to an encapsulating polymer coating on the particles; (c) the resulting encapsulated particles are combined with a second encapsulating agent, which is chemically different from the first, and (d) the second encapsulating agent is then converted to a second coating on the particle. The result is a chemical coated with two layers on its surface.

The claims have been amended to more clearly describe this process in one independent claim and to make the other claims dependent thereon. It is believed that these amendments should clearly distinguish the present invention from the prior art and place the claims in condition for allowance.

**Rejection Under 35USC102**

Claim 27 was rejected under 35 U.S.C §102(b) as anticipated by Curtis et al. (US 5,462,915) “(Curtis)”. Claim 27 has been cancelled. Curtis relates to a micro encapsulation process used with agrochemicals in which a formaldehyde prepolymer is

used as the encapsulating agent. Curtis does not disclose the double encapsulation process described in the amended claims herein.

### **Rejection Under 35USC103**

Claim 27 was also rejected under 35 U.S.C. 103(a) as obvious over Curtis. Curtis does not suggest modifying the process described therein to a process as described in the amended claims herein. Accordingly, the present invention would not have been obvious from the teachings of Curtis.

Claims 5, 6, 10, 11, 13, 14, 19, 20, 24, 25 and 31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Takahashi et al. (US 4,557,755) “(Takahashi)” in view of Natske et al. (WO 94/22302) “(Natske)” and Lo (EP 0551790) “(Lo)”. Claims 5, 6, 10, 11, 13, 14, 19, 20 and 31 have been cancelled. Claim 24 has been amended to specify both the first and second encapsulating agents and to make it clear that the process results in a double encapsulated product. Such a process is not suggested in the combined disclosures of Takahashi, Natske and Lo. These references were discussed in detail in Applicant’s response filed July 31, 2003 and that discussion is equally applicable but will not be repeated here. Basically, none of these reference, alone or in combination, suggest a double encapsulation process using two different encapsulating agents. Based upon this point alone, Applicant believes this invention is not obvious and is patentable over Takahashi in view of Natske and Lo.

### **Fee Payment**

Authorization is hereby made to charge any fees required by this paper or credit any overpayment to Deposit Account No. 06-1440.

### **Conclusion**

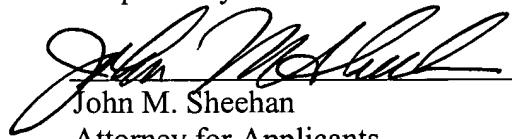
The Applicant believes that the foregoing constitutes a complete and full response to the Office Action of record. Accordingly, an early and favorable action is respectfully requested.

**Docket No.:** Docket 60153-USA-DIV1  
**Application No.:** 10/007,328

**PATENT**

If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned at (215) 299-6966.

Respectfully submitted



John M. Sheehan  
Attorney for Applicants  
Registration No.: 26,065  
Telephone No. (215) 299-6966

**Please forward all future correspondence relating to this application to:**

Patent Administrator  
FMC Corporation  
1735 Market St  
Philadelphia, PA 19103